

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

ELLEN MARTEN, as Guardian and  
Conservator of Glen Marten,

Plaintiff,

vs.

STATE OF MONTANA,

Defendant.

CV 17-31-H-CCL

ORDER


The parties have filed a joint status report indicating that they are continuing to work toward resolution of the case and plan to meet within thirty days with representatives of the Montana Department of Public Health and Human Services and Montana Medicaid to discuss possible treatment options for Mr. Marten. The parties are continuing to negotiate potential monetary settlement of the remaining claims.

The parties assure the Court that if a settlement is not reached, the parties and their witnesses will be prepared to go to trial in April of 2020. The Court takes that assurance as an indication that Plaintiff's counsel has informed Dr. Mulgrew that he need not appear in response to the subpoena served on April 22, 2019. Accordingly,

IT IS HEREBY ORDERED that Dr. Mulgrew's motion to quash subpoena (Doc. 114) is DENIED as moot. Counsel for Plaintiff shall immediately serve a copy of this order on Dr. Mulgrew.

IT IS FURTHER ORDERED that on or before July 9, 2019, the parties shall file a Joint Status Report informing the Court of the status of their settlement discussions.

Dated this 9<sup>th</sup> day of May, 2019.

  
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CHARLES C. LOVELL  
SENIOR UNITED STATES DISTRICT JUDGE